



PTOSB/61 (07-03)

Approved for use through 01/31/2004. OMB 0851-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Patentee further had the right to claim a seed of a *Phaseolus vulgaris* field bean plant comprising a seed coat and a hilar ring, wherein said hilar ring is from about 2.5 Y 8/4 to about 2.5 Y 9/8 in the Munsell Book of Color, when viewed under natural light. Patentee thus claimed less than he had a right to in U.S. Patent No. 5,894,079, for which reissue is sought to rectify this error. New claim 53 presents said seed.

Finally, Patentee had the right to claim a *Phaseolus vulgaris* field bean plant and seed thereof, that produces seed having a seed coat that is yellow in color, wherein the yellow color is from about 7.5 Y 8.5/4 to about 7.5 Y 8.5/6 in the Munsell Book of Color when viewed in natural light. Patentee thus claimed less than he had a right to in U.S. Patent No. 5,894,079, for which reissue is sought to rectify this error. New claims 51, 52 and 54-58 present said plant and seed thereof.

Table 1, attached to this declaration, is hereby incorporated in and made part of this declaration, as though fully replicated and set forth herein. Table 1 provides additional detail as to the additional material being claimed.

100-443887-100

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This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTOSB/51 (07-03)

Approved for use through 01/31/2004, OMB 0651-0033

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		Docket Number (Optional) 414634	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.			
Note: To appoint a power of attorney, use form PTO/SB/81.			
Correspondence Address : Direct all communications about the application to:			
<input checked="" type="checkbox"/> Customer Number :		30955	
OR			
<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	ZIP	
Country			
Telephone	Fax		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of sole or first inventor (given name, family name)			
Larry M. Proctor			
Inventor's signature <i>Larry M. Proctor</i>			
Residence Delta, Colorado		Date 6/2/04	
Mailing Address 269 Highway 348, Delta CO 81415		Citizenship United States	
Full name of second joint inventor (given name, family name)			
Inventor's signature		Date	
Residence		Citizenship	
Mailing Address			
Full name of third joint inventor (given name, family name)			
Inventor's signature		Date	
Residence		Citizenship	
Mailing Address			
<input type="checkbox"/> Additional joint inventors or legal representative(s) are named on separately numbered sheets form PTO/SB/02A or 02LR attached hereto.			

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This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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